IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4303 of 1994

For Approval and Signature:

HON'BLE MR.JUSTICE M.R.SHAH

==========

1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

TRACK ENGINEERING CORPORATION

Versus

INDIAN OIL CORPORATION & ANOTHER

Appearance:

1. Special Civil Application No. 4303 of 1994

MR PM THAKKAR for Petitioner No. 1

MR RP BHATT for Respondent No. 1

MR JD AJMERA for Respondent No. 2

CORAM : HON'BLE MR.JUSTICE M.R.SHAH

Date of decision: 21/04/2004

ORAL JUDGEMENT

The petitioner has preferred the present Special Civil Application under Article 226 of the Constitution of India for appropriate writ, direction or order by quashing and setting aside action on the part of respondent No.1 Indian Oil Corporation in insisting to have Provident Fund Code number as a prerequisite

condition to issue tender document/form by setting aside the said condition as being illegal, and has further prayed for an appropriate direction directing the respondent Corporation to issue tender forms in respect of the tender advertisement at Annexure 'A' and accept the same and decide the same on merits.

2. When the matter is called out today for final hearing, Shri Pahwa, learned advocate appearing for the petitioner states that in view of the fact that the tender period is already over and the Work Order was already given to another firm he does not press the present Special Civil Application, and requests the Court to dispose of the Special Civil Application as having not pressed. In view of the fact that the tender period is already over and the contract was already given to another firm, as prayed for by the petitioner the present Special Civil Application is disposed of as having not pressed. Rule is discharged with no order as to costs.

rmr. [M.R. Shah, J.]